

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRENCE FORTUNA,

Plaintiff,

Case No. 21-cv-10172
Hon. Matthew F. Leitman

v.

NANCY POWERS, *et al.*,

Defendants.

**ORDER ADMINSTRATIVELY TERMINATING DEFENDANTS’
MOTION TO DISMISS (ECF No. 13) PENDING OUTCOME
OF PARTIES’ SETTLEMENT CONFERENCE**

On May 4, 2021, Defendants Nancy Powers and Signs & Wonders Unlimited LLC filed the pending motion to dismiss Plaintiff Terrence Fortuna’s claims against them. (*See* Mot. to Dismiss., ECF No. 13.) Fortuna filed his response on June 7, 2021, (*see* Resp., ECF No. 15), and Defendants filed their reply on July 7, 2021, (*see* Reply, ECF No. 18). The Court heard oral argument on Defendants’ motion on January 25, 2022.

After consultation with the Court, the parties have agreed to attend a settlement conference to attempt to resolve their dispute. Due to issues identified by Powers, however, the settlement conference will necessarily be delayed for a couple of months. In the interim, as discussed on the Zoom status conference held off-the-record on today’s date, the Court **ADMINISTRATIVELY TERMINATES**

Defendants' pending motion to dismiss (ECF No. 13). As further discussed at today's status conference, if the case does not settle at the settlement conference, Defendants need only file a Notice of Reinstatement if, at that point, they wish to reinstate their now-terminated motion to dismiss. The Court will then decide that motion without further briefing or argument from the parties.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: February 4, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 4, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126